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FILED  
BILLINGS DIV.

2007 MAY 3 PM 3 17

PATRICK E. DUFFY, CLERK

DEPUTY CLERK

CLERK OF THE  
DISTRICT COURT  
LAURA A. BRENT

2007 APR 2 PM 12 26

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MB  
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8 MONTANA THIRTEENTH JUDICIAL DISTRICT COURT  
9 YELLOWSTONE COUNTY

10 DONALD J. RODEN,  
11 Plaintiff,

12 vs.

13 SMITH & WESSON HOLDING  
14 CORPORATION, a Nevada  
15 Corporation,

Defendant.

Cause No. DV 07-0441

Judge RUSSELL G. FAGE

CV-07-66-BLG-RFC-CSO

COMPLAINT AND  
JURY TRIAL DEMAND

1501166507

16 Plaintiff alleges as follows:

- 17 1. Plaintiff is a resident of Billings, Montana.
- 18 2. Defendant is a corporation organized under the laws of the State of Nevada
- 19 with its principal executive office located at 2100 Roosevelt Avenue, Springfield,
- 20 Massachusetts and transacts business in the State of Montana.
- 21 3. In April of 2002, plaintiff was offered a job with defendant as the Western
- 22 Regional Sales Manager for the company. Plaintiff accepted the job and received a salary
- 23 and numerous fringe benefits.
- 24 4. Plaintiff performed his job duties with defendant in a satisfactory fashion
- 25

1 throughout his time of employment with defendant. He received increases in his  
2 compensation package from time to time.

3 5. On Monday, September 25, 2006, without any notice or warning, plaintiff's  
4 employment relationship with defendant was wrongfully terminated by defendant. The  
5 termination (wrongful discharge) was not for good cause. Plaintiff reserves the right in  
6 his Complaint to further allege that defendant violated the express provisions of its own  
7 written personnel policy if through the course of discovery in this case, evidence is found  
8 to support that claim.

9 6. As a result of defendant's decision to terminate plaintiff's employment  
10 relationship which constitutes wrongful discharge, plaintiff has suffered damages  
11 including lost wages and fringe benefits.

12 WHEREFORE, plaintiff prays for judgment against defendant for all sums  
13 awardable under Montana law as a result of the wrongful discharge of plaintiff from  
14 defendant's employment including but not limited to an award of lost wages, fringe  
15 benefits and interest on all damages awarded in this case along with all other relief as the  
16 Court deems proper under the circumstances.

17 **DEMAND FOR TRIAL BY JURY**

18 Plaintiff demands trial by jury of this cause.

19 DATED this 2nd day of April, 2007.

20 STACEY & FUNYAK

21  
22 By:

23   
24 Calvin J. Stacey  
25 Attorneys for Plaintiff